

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE
PLANNING BOARD MINUTES
APRIL 18, 2013

Meeting called to order at 7:00 p.m. by Chairman Tom Dow.

Attendance:

George Saunderson, Henry Huntington, Tom Moore, Chairman Tom Dow, Vice Chairman Stan Prescott, Bob Cole, Alternate Bob Ordway, Ex-Officio Dustin Bowles Bob Butler represented the Conservation Commission.

Acceptance of Minutes:

March 21, 2013 Regular Meeting – **Bob Cole moved to accept the minutes as written; seconded by Henry Huntington. All were in favor.**

April 13, 2013 Site Visit – **Dustin Bowles made a motion to approve the minutes of the TTD, LLC site visit; seconded by George Saunderson. Bob Cole abstained as he was not in attendance; majority in favor.**

Chairman Dow explained the procedures of the meeting, asking everyone to direct their questions through him.

Old Business:

Application #13-04, TTD, LLC – Major Subdivision on Route 129 & Pittsfield Road in the RR District, Map 25, Lot 5. Jeff Green represented the applicant. Abutters Bob Whitten, Marilyn Whitten, Geoffrey Smith, Earl Tuson, Alice Tuson, and Marilyn Dubuc were present. Applicant Raymond Dumont and Attorney Daniel Luker of PretiFlaherty were present.

Mr. Green presented a revised plan to the Board. He gave an overview of the proposed six lot subdivision and revisions that have been made to the plan, including adding abutters' houses and driveways, moving the cistern from Route 129 to Pittsfield Road as the highest point of the parcel, and labeling the driveway locations on this parcel that have been approved by the state. The cistern easement is shown on plan lot 5-1.

Chairman Dow read a letter from Lieutenant Reese of the fire department. Mr. Dow stated that the site walk was very well attended and he would re-open the public hearing. Earl Tuson stated that he has two permanent driveways; one is not shown on the plan. Jeff Green explained that it is more than the required 100' distance so he did not show it. Mr. Tuson said the safety of the intersection is of concern and the driveway should be shown. Mr. Green agreed to add it to the plan. Mr. Tuson noted that an existing well notated on Lot 5 was closed due to contamination. Mr. Green explained that he has to indicate anything that is physically on the ground. Mr. Tuson said the

replacement well is not indicated. There was discussion about him helping Mr. Green locate the well.

Geoff Smith, abutter to the east of this parcel, said he has not seen anyone there to locate his well as discussed at the last meeting. Mr. Green said it is not above-ground and he has added a note as such on the plan. Mr. Smith said he is concerned of its location and building on the abutting lot. Mr. Green explained that if the State had concerns during the septic design process then he would have to locate the under-ground well. Earl Tuson stated that he and Mr. Smith have been trying to be available to Mr. Green. He said he located his well with Mr. Green today but it is not shown on the plan. Chairman Dow said the wells should have been staked in case the abutters were not home when Mr. Green was there.

Earl Tuson asked if the Board received copies of the new driveway permits. He then reviewed the permits and asked the chairman to disregard the letter he submitted earlier in the day. Ed Trzcinski of 98 Pittsfield Road asked if the wetlands shown on lot 5-4 leave enough viable area for a house and septic system. Jeff Green corrected that it is ledge shown on that lot. He reviewed the lot calculations, all of which meet the requirements. Mr. Trzcinski asked about lot 5-5. Mr. Green gave the figures for slope, ledge, and wet which left 2.2 acres of buildable area.

Earl Tuson noted that many comments have been heard from neighbors with regard to well issues. He spoke about ways to know how much water is available, saying that technology exists to determine what is underground. Mr. Tuson said, given the problems with water in the area, he would like to see something that shows these lots have adequate water.

Chairman Dow read a letter from neighbors Deb & Dennis Proulx. Earl Tuson, referring to safety issues mentioned in the letter, spoke about a recent study on fatalities on rural roads. He said this is an unsafe spot, noting that State driveway policies are narrow. He said the State cannot look at slopes, etc when considering driveway applications.

Marilyn Dubuc stated that she cannot fathom five homes, five septic systems, and five wells with the amount of ledge that is on this parcel. Lisa Cogswell asked if there has been any discussion about washout along Pittsfield Road. She said she has concerns of more water going there and worsening the situation. Chairman Dow said the area was looked at on the site visit. Will Cogswell spoke about the danger of the intersection, adding driveways, bus stops, etc. He said it might be better if the intersection was redesigned.

Marilyn Whitten said she has heard rumor of the American Legion building possibly being moved to this parcel. She spoke about the area having the oldest houses in town. Dustin Bowles stated that Colin Cabot was interested in purchasing the property for that purpose but it has not come to fruition at this point.

Bob Whitten stated that he supports Mr. Tuson's statements regarding water being an issue and that tools are available to do a thorough analysis. He reminded Board members that they are elected to represent and protect the residents; he encouraged the Board to at least have tests done to protect the neighbors' rights to water.

Chairman Dow closed the hearing to the public and opened it to the Board only. Bob Ordway stated that he has concerns about the water as well. He said there have been some extensive changes to existing wells in the area and he feels that needs to be looked

at. He explained that original stats of the wells could be found and then get today's info to compare. Mr. Ordway said he feels having a hydrologist do an assessment is needed in order to make an overall decision on the application. Stan Prescott agreed. He stated that he went on the DES website and looked up the wells on the existing neighboring lots. He said he feels an assessment could be done without a lot of problem.

Tom Dow said the driveways on Route 129 are of concern; he asked how they would be developed. Mr. Dow said he feels the Board should see driveway designs and a little more study on that. George Saunderson agreed. He said he would be more comfortable if the amount of ledge and wetland was verified. Stan Prescott stated that he went back to the site on Monday and found that lot 5 has a tremendous amount of ledge; he feels it was not all quantified on the plan. Mr. Prescott said lot 5-4 does not show the steep slopes properly. He suggested that the Board have the town engineer look and see if they agree with what is shown on the plan. Bob Ordway said he would like to go a little further, noting that there is a lot underground that they do not know about. He said he would ask for profiles of the ledge in order to have a feel for what is there. He explained that he did a drive-by to get a feel for the driveways on Route 129; he spoke about safety concerns.

Stan Prescott said he asked for test pit data; he would like to see it for all fourteen holes. Bob Cole asked if split level houses were planned based on existing test pit data. Mr. Dumont said he did plan to build split levels. Tom Dow said this lot is unlike a lot of others. He said he would agree with Stan Prescott about having the engineer look at the plans and probably do hydrological studies. Stan Prescott said he would like to see the house locations noted. Tom Moore asked if a soil scientist should be consulted. Mr. Prescott said his initial thought was to have the engineer for the town verify what is on the plan. Dustin Bowles explained that the applicant would have to put funds into an escrow account to cover the costs. Ray Dumont said he has already paid state-licensed people to do the designs, wetland scientist, etc. Mr. Dow pointed out that the Land Development Regulations allow the Board to ask for outside review at the applicant's expense. Dustin Bowles said this lot is not typical and the Board needs to look at the plan closely and do it right. Stan Prescott said this is the first time since he's been on the Board that he has seen ledge this close to the surface and he wants to really look at it. He said this would involve a hydrological survey; he asked if a safety survey should also be done. George Saunderson said he would like to see the hydrological survey as well as a review of the wetlands and steep slopes and a safety study. Attorney Luker asked the Board to be specific about what they want. Bob Ordway said someone trained could make an assessment of the water situation and what could happen with five more wells in the area. Mr. Luker said it would not be fair for the applicant to have to pay for off-site studies.

Henry Huntington suggested giving the engineering firm what the Board is looking for. The Board agreed on the following items: 1) hydrologic study; 2) safety study/traffic impact analysis; 3) profiling of ledge/areas of houses and septic systems; 4) erosion control plan on Route 129 to ensure driveways are not washing down to the pond; 5) verification of ledge and wetlands. Jeff Green said that test pits and ledge probes have been done as part of the State approval process; he expects to have approvals on Monday. Bob Butler spoke about some issues with wetlands. He said it is hard to know if small pockets are wetlands or not because there is so much ledge. He spoke about logging

roads and swales that are not on the plans; he thought this should be part of the same study. Mr. Butler also voiced concerns of future problems with the common driveway. Stan Prescott asked if any test pits were done at the proposed cistern location. Mr. Green said there were not; he spoke of probes and elevations. Mr. Prescott urged the applicant to try to keep the cistern in-ground. Dustin Bowles asked if there is a pull-off in the area of the cistern. Mr. Green said there is and it is 70' long.

Chairman Dow stated that it has been agreed to get an updated scope of work from the engineer and set up an escrow fund with the applicant. Dustin Bowles asked Geoff Smith and Earl Tuson to put stakes at their wells for identification purposes. Jeff Green said he has to be able to see the wells in order to put them on the plans. Mr. Bowles then asked Mr. Smith and Mr. Tuson to uncover the locations of their wells.

Henry Huntington made a motion to continue the application to the next meeting and ask for the five additional requirements listed above; seconded by Bob Cole. All were in favor. The meeting will be on May 16th at 7:00 p.m. in the Community Building. There will be no further notification.

New Business:

Application #13-05, Kara Realty Associates – Major Site Development on Veteran's Drive in the C/I District, Map 1, Lot 64. Jonathan Crowdes of T F Bernier, Inc. represented applicant Frank Merrill. There were no abutters present.

Mr. Crowdes explained that the proposal is for a 10,000 SF building next to the lot where New England Power Screen is now located. He said it would be an 80' x 125' building with an office and repair shop for F L Merrill Construction. Mr. Crowdes stated that they have received shoreland protection permitting and the septic approval is pending. He reviewed the four waivers that are being requested. Mr. Crowdes pointed out the 75' town buffer and the state's 250' buffer on the plans. In reviewing the plans it was noted that the front setback in the C/I district was changed from 100' to 60' in 2012. Mr. Crowdes reviewed the possibilities of moving things on the plan so as not to need a waiver for parking in the front of the building. He reviewed the stormwater drainage plan and said moving things would affect catching the runoff. Stan Prescott pointed out that it appears that the sediment depression appears to be half on this parcel and half on the next lot. Mr. Crowdes said the soil is so fast draining there will not be an issue.

Mr. Crowdes stated that the retaining wall will be designed by Gilbert Block. Frank Merrill explained that the wall will be 25-30' at the tallest point and quickly steps up, V-shaped. He said it would be the same wall as used on turns 1 and 2 at NHMS. Bob Butler noted that this would involve 30' of fill and wall. He said there is heavy erosion in that area and he would like to see a cross section of what it will look like. Mr. Merrill explained the design and construction of the wall, saying that Tim Bernier has sent a profile to Gilbert Block.

Mr. Merrill said he has dressed up the building a little so it is not plain metal. He said he could add a few more trees if desired. Tom Dow asked what the building is being used for. Mr. Merrill explained that the north end would be office and the rest would be for maintenance. He said there would not be a lot of parking as they would just bring a truck in, repair it, and leave with it. Mr. Dow asked Mr. Merrill if there has been any progress with easements on the road. Mr. Merrill said there has not; he asked if the

Board would be willing to write a letter to the party that needs to file an easement. It was agreed that the Board will send a letter stating that it has come to their attention during approval process that an easement was never filed with the registry as per their plan.

Tom Dow asked about doing a site walk. Stan Prescott asked if there is a profile of the ditch. Mr. Crowdes said he would have it emailed to the Planning Office. Tom Moore asked about lighting and signage. There was discussion about the lighting being down-lit. The sign information was listed on the detail sheet of the plans.

A site walk was scheduled for May 7th at 5:00 p.m. **Stan Prescott made a motion to continue this meeting to the site visit on May 7th and then to the next meeting on May 16th at 7:00 p.m. in the Community Building; seconded by Tom Moore. All were in favor.** It was agreed to invite the owner of Z-1 to attend the site visit.

Board Discussion:

MP Transportation Committee report – Tom Moore reported that the committee has met with Ruairi O’Mahony of CNHRPC on two occasions. He explained that they are looking at changing the format a little, listing objectives and details differently. He said accident data is needed as are the traffic count locations. Donna will get the list of count locations to the committee. Mr. Moore said that Mr. O’Mahony is looking at funds for Safe Routes to School engineering. There is 100% funding for these projects until July 1st, then it would be 80% after that. Mr. Moore explained that this would be for a 1-2 mile radius of the school for drainage, sidewalks, crossings, and intersections. Stan Prescott said the committee would like the Board’s support for the study. He said it would project construction and maintenance costs. Mr. Moore said they need to determine where the numbers were found for the impact fee methodology. Donna will look into this and get back to the committee.

Land Development Regulations – Donna explained that the section of the Zoning Ordinance relative to residential water supply was changed in 2012 from 1000 feet distance to 2000 feet distance; the LDR still read 1000 feet. It was agreed that the change could be made in the LDR book without having to go through the entire hearing process.

Lot Line Adjustment application – Donna explained that the town’s contract assessor suggested adding a note to the application with regard to having to record deeds to finalize the adjustments. Mr. Wiley has found in most situations that the deeds never get done; therefore the adjustment is not final. There was discussion on the need for recording; a note will be added to the application.

Report of the ZBA:

There are five applications on the agenda for Greenpeace Nominee Trust. There are two special exceptions and three variances to address wetlands and slopes. Donna will email Julie Robinson’s note to Board members.

Report of the Board of Permit:

Stan Prescott reported that there were nine Hawker & Peddler permits for NHMS, all for charity events. He also reported that a gentleman on School Street was asking permission to conduct a raffle to benefit veterans at his home and at the Beanstalk.

Adjournment:

Stan Prescott made a motion to adjourn at 9:55 p.m.; seconded by Tom Moore. All were in favor.

Submitted by,

Donna White
Administrative Assistant